

REMARKS

Status of the Application

Claims 1-13 are all the claims that have been examined in the application. Claims 1-3 and 6-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. Pub. 2003/0081038) in view of Valero (U.S. 6,802,580) and Yamada (U.S. 6,726,302). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. Pub. 2003/0081038) in view of Valero (U.S. 6,802,580) and Yamada (U.S. 6,726,302), and further in view of Williams (U.S. 6,164,749). Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) over Valero as modified by Yamada and further in view of Butterfield (U.S. 6,685,297).

By this Amendment, Applicants are amending claims 1, 11, 12 and 13.

Claim Rejections -- 35 U.S.C. § 103

Claims 1-3 and 6-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. Pub. 2003/0081038) in view of Valero (U.S. 6,802,580) and Yamada (U.S. 6,726,302).

Amended claim 1 recites, in part, “forming said adjustment pattern again in a position that differs from said predetermined position by ejecting liquid from said liquid ejecting section onto said medium on which said adjustment pattern has been formed and which is supplied from said paper supply section, the position having been selected from a plurality of positions by a user.” The Examiner alleges that a combination of Valero (‘038), Valero (‘580) and Yamada discloses all of the aspects of claim 1. Applicants respectfully disagree.

Valero ('038) teaches that a group of ink drops is formed on a medium, and the actual location of the ink drops are then compared to the desired location of the drops. Position calibration is then applied based on this comparison. However, Valero ('038) does not disclose that a user chooses a position for forming said adjustment pattern again, as recited in amended claim 1. Rather, Valero ('038) discloses that both the location of the detected invisible inks used for determining the alignment of the ink ejection element, and the pattern with which the invisible inks are compared, are chosen automatically. See paragraphs [0009]-[0012]. Valero ('580) also seems to disclose that the drop detection process is performed automatically. See col. 2, lines 21-27. Further, Yamada also fails to cure the deficiency identified in Valero ('038). See col. 9, lines 7-22. Specifically, Yamada discloses that a user enters information regarding the density of the test pattern, but not that the user chooses a *position* for the forming of the adjustment pattern again. Thus, the Examiner's proposed combination fails to disclose all of the elements of amended claim 1.

Therefore, amended claim 1 is patentable over the applied art. Claims 2, 3 and 7-10 are patentable at least by virtue of their dependency from amended claim 1. Claims 11-13 recite similar limitations to claim 1, and are patentable for reasons analogous thereto.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. Pub. 2003/0081038) in view of Valero (U.S. 6,802,580) and Yamada (U.S. 6,726,302), and further in view of Williams (U.S. 6,164,749).

Claim 4 is dependent from amended claim 1. Because the proposed combination of Valero ('038) as modified by Valero ('580) and Yamada fails to teach or suggest all of the

elements of amended claim 1, and because Williams fails to cure the defects noted with respect to amended claim 1, claim 4 is patentable at least by virtue of its dependency.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) over Valero as modified by Yamada and further in view of Butterfield (U.S. 6,685,297).

Claim 5 is dependent from amended claim 1. Because the proposed combination of Valero ('038) as modified by Valero ('580) and Yamada fails to teach or suggest all of the elements of amended claim 1, and because Butterfield fails to cure the defects noted with respect to amended claim 1, claim 5 is patentable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No.: 10/764,599

Attorney Docket No.: Q79583

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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